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FACSIMILE TRANSMITTAL PAGE

Date: January 22, 2010

To: Broadus A. Spivey Fax No.: (512) 474-1605

To: Geoffrey H. Bracken
Laura Goodson
Merritt B. Chastain Fax No.: (713) 276-5555

To: Edward D. Burbach Fax No.: (512) 542-7270

Re: Civil Action No.: 1:09-cv-00799-LY; *Joshua Willis, et al., on behalf of themselves and all others similarly situated, v. Perry Homes LLC, et al.*; In the United States District Court for the Western District of Texas, Austin Division ("Willis Case")

Pages: 13 (INCLUDING TRANSMITTAL PAGE)

From: Vanisia M. Colbert

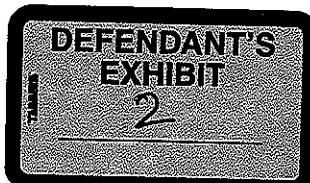
Message:

Attached please find Plaintiffs' Objections to Requests for Production of Documents and Subpoena Duces Tccum to Joshua Willis and Robert Thompson regarding the above-styled case.

Thank you,

+++++CONFIDENTIALITY NOTICE+++++

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FROM :WILLS LAW FIRM

FAX NO. : 7135282047

Jan. 22 2010 12:07PM P 2

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

**PLAINTIFFS' OBJECTIONS TO REQUESTS FOR PRODUCTION OF DOCUMENTS
AND SUBPOENA DUCES TECUM TO JOSHUA WILLIS**

Pursuant to the Federal Rules of Civil Procedure, Plaintiffs submit to Defendants Perry Homes, A Joint Venture and Perry Homes, LLC ("Defendants" or "Perry Homes") the following objections to Defendants' Request for Production of Documents and Subpoena Duces Tecum to Joshua Willis.

Respectfully submitted,

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 Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served on the following counsel of record on **January 22, 2010** by hand-delivery and/or U.S. Mail, and facsimile (courtesy copy):

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/s/ Rhonda H. Wills
 Rhonda H. Wills

OBJECTIONS TO ALL REQUESTS FOR PRODUCTION OF DOCUMENTS & SUBPOENA DUCES TECUM

Request No. 1: Copies of any documents provided by PH to you prior to November 3, 2009.

Response:

- (1) Plaintiffs object to this request on the grounds that it is beyond the discovery permitted by the Court at this time. It further violates the Court's order staying discovery.
- (2) Plaintiffs further object to this request on the grounds that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege; (d) physician-patient privilege; (e) the joint defense privilege; (f) community of

interest privilege; (g) common interest privilege; and/or (l) any other privilege.

(3) Plaintiff further objects that this request fails to comply with and violates FED. R. CIV. P. 34

(4) Plaintiffs further object to the request on the grounds that it seeks documents containing information of a confidential, private, personally sensitive, and/or proprietary nature.

(5) Plaintiffs further object to the request on the grounds that is overly broad, vague, ambiguous and unduly burdensome and not limited in time or scope.

(6) Plaintiff further objects that the it requests information that is irrelevant, and that the request is harassing, not reasonably calculated to lead to the discovery of admissible evidence.

(7) Plaintiff further objects that these documents are readily available to Defendants and in Defendants' possession. Moreover, such documents are already in the constructive possession of Defendants and would be equally obtainable and accessible to Defendants.

Request No. 2: Copies of any documents evidencing or reflecting any communications, be they written or oral, between you, any of the Plaintiffs in this lawsuit, or any other current or former employees of PH.

Response:

(1) Plaintiffs object that this request on the grounds that it is beyond the discovery permitted by the Court at this time. It further violates the Court's order staying discovery.

(2) Plaintiffs further object to this request on the grounds that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) physician-patient privilege; (e) the joint defense privilege, (f) community of interest privilege; (g) common interest privilege; and/or (l) any other privilege.

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(6) Plaintiff further objects that the it requests information that is irrelevant, and that the request is harassing, not reasonably calculated to lead to the discovery of admissible evidence.

Request No. 3: Originals and copies of all diaries, calendars, journals, appointment books, and other similar documents generated by you during your employment with PH.

Response:

- (1) Plaintiffs object that this request on the grounds that it is beyond the discovery permitted by the Court at this time. It further violates the Court's order staying discovery.
- (2) Plaintiffs further object to this request on the grounds that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) physician-patient privilege; (e) the joint defense privilege, (f) community of interest privilege; (g) common interest privilege; and/or (f) any other privilege.
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Request No. 4: Copies of all documents evidencing or reflecting meetings with sales professionals, homeowners, or any other individuals pertaining to the construction or repair of any home built by PII.

Response:

- (1) Plaintiffs object that this request on the grounds that it is beyond the discovery permitted by the Court at this time. It further violates the Court's order staying discovery.
- (2) Plaintiffs further object to this request on the grounds that it calls for disclosure of any information that constitutes or is protected by the following privileges and exemptions from discovery: (a) the attorney-client privilege; (b) the work-product doctrine; (c) the investigative privilege, (d) physician-patient privilege; (e) the joint defense privilege, (f) community of interest privilege; (g) common interest privilege; and/or (f) any other privilege.
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Request No. 5: True and correct copies of any punch lists, inspection forms, or other similar documents created and/or maintained by you during your employment with PH.

Response:

(1) Plaintiffs object that this request on the grounds that it is beyond the discovery permitted by the Court at this time. It further violates the Court's order staying discovery.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

JOSHUA WILLIS AND ROBERT THOMPSON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED,	§	
	§	
	§	
PLAINTIFFS,	§	
	§	CIVIL ACTION NO. 1:09-cv-00799-LY
v.	§	
	§	
PERRY HOMES, A JOINT VENTURE, AND PERRY HOMES, LLC	§	COLLECTIVE ACTION (JURY DEMANDED)
	§	
DEFENDANTS.	§	
	§	

**PLAINTIFFS' OBJECTIONS TO REQUESTS FOR PRODUCTION OF DOCUMENTS
AND SUBPOENA DUCES TECUM TO ROBERT THOMPSON**

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Respectfully submitted,

/s/ Broadus A. Spivey
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 Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served on the following counsel of record on **January 22, 2010** by hand-delivery and/or U.S. Mail, and facsimile (courtesy copy):

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/s/ Rhonda H. Wills
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